1954 1.6-28-49 **File No.** 5443/36T

B CLASS P.W. **DEPARTMENT**

M **BRANCH**

Subject:— Water supply -

Salara

(1) Improvements &

(11) Payment of Inspection

charges on

[illegible] 1949.

File No. 5743/36I

Etd. Scott. Slip. 84 A.

G. R., G. D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No. SH43/36 I

P. W DEPT.

M BRANCH.

References :—

Copies from the original file B[M.]

Date.	To whom sent.	Notes and instructions.

No. 469
Office of the Borough Municipality,
Satara City, 27th Aug. 1947.

From,

R.S.PAWAR, Esq.,
President, Satara Borough Municipality,
Satara City.

To

The Public Health Engineer,,
to Government, Poona.
Poona.

Subject:-Satara Water Supply and Drainage.

Sir,

With reference to your letter No.4445 dated 14th June 1947, I have the honour to inform you that the Municpality is keen on getting the plans and estimates of Water Supply and Drainage Scheme prepared at an early date. With this end in view one Mr. G.R. Pendharkar, B.E. retired Sub-Divisional Officer P.W.D. was approached and he has promosed to preppare the detailed plans and estimates of both the Water Supply and Drainage Schemes to the satisfaction of the Board of Public Health. Since he agreed to carry out this work on payment of Rs. 13250/- the General Body by its resolution No.7 dated 5-8-1947 has resolved to entrust this work to him and to pay him Rs.13250/- on completion of work to the approval of the Board of Public Health.

You will realise that the Municpality instead of agreeing to pay @ 1½ % on nett cost of the Schemes proposes to entrust the work at a cost of Rs.13250/- which hardly work out to 4% of the Rough estimated cost of the schemes as worked out by you. (Please vide your No. O.W.2.14/479 dated 23-1-47).

Mr. Pandharkar is a qualified Engineer and an experienced Engineer from Government P.W.Department. He has moreover carried out preparation of plans and estimates for similar schemes for Sholapur and Pandharpur.

I therefore request you to kindly move the Board of Public Health to accord approval to the Municpality's

proposal.....

proposal to entrust the work of preparation of detailed plans and estimates for Water Supply and Drainage Schemes to Mr. G.R.Pandharkar. He has agreed to complete the work within 8 months.

Yours most obedient servant,

Sd/-
President,
Satara City Borough Municipality.

Encl:-G.B.Resolution.

Copy forwarded with compliments to:-

1) The Collector of Satara, Satara.
2) The Secretary to Government P.W.Department, Bombay.
3) The Minister, for Local Self Government, Bombay.
4) The Honorable G.D.Tapase, Minister for Industries, Bombay.
5) Mr. G.R.Pendharkar, Poona.

What is the usual thing in such cases ?

Id/-
1-9-

***

M.B. 5443/36 P. W. D.

Submitted w/r. to the D.S's query at p. 260 ante.

2. The Municipalities are generally allowed, if they wish, to get the plans and estimates prepared through their own engineers but in such cases charges to the extent of 1½% of the estimated cost subject to the minimum of Rs 10/- are levied for scrutiny of the plans and estimates. If on the otherhand, if the local bodies desire to get the plans and estimates prepared through Govt. agency (viz. the P.W.D.) charges to the extent of 2½ % of the estimated cost subject to the minimum of Rs.15/- are levied after the rough plans and estimates are thus prepared, the Board of Public Health Works gives its appl. to the preparation of the detailed plans and estimates. The Board also recommends to Govt. grant-in-aid to be given to the loacl body and also the agency through which the work should be got executed. It may be stated here that the Nadiad Water Supply Project prepared by the Nadiad.....

Nadiad Muncy. through its contractors was appd. by the Board.

3. The Satara Muncy. desires to get the work (viz. the Satara Water Supply Scheme) executed by a private firm and has requested (in their letter at p.259 ante) to move the Board of Publich Health Works to accord appl. to the Muny's proposal to entrust the work of preparation of pland and estimates. to one Mr. Pandharkar. The P.H.E. to Govt. is , however, not in favour of the work being carried out through the private agency. Before, therefore, the proposal of the Muny. is put up before the Board for its consideration, the P.H.E. to Govt. may be requested u.o to after his remarks in the matter.

Id/-
22-1-47

Id/-
24-10-47

u.o.r. to P.H.E. to Govt. dt. the 27-10-47.

P.H.E.'s
forward No.
12718
29-10-47

Below U.O.R. dated 17th October 1948 from P.W.D. of the Secretariat (file No.— 5443/36).

Returned with compliments.

2. The reason that has prompted the Borough Municipality of Satara to engage the services of a retired P.W.D. engineer for preparation of plans and estimates of their water supply and drainage scheme is that the charges offered for preparation by the private engineer are comparatively low. As a local body is competent to negotiate with a private firm of engineer or engineers for a drawing up plans and estimates of its Public Health Schemes, I have no objection to the Municipality choosing such a course. Moreover, my Circle is studded with requests for preparation of schemes that it will take many months before any priority is given to the preparation of Satara Water Supply and Drainage.

3. I cannot see the relevancy of the question being placed before the Board of Public Health Works at this stage. Approval to preparation of a scheme by a local body through a private agency is not required. In this connection, I have also addressed a letter (No.6870, dated 13-9-1947) to the Municipality copy attached for the information of Government. The Municipality has agreed to carry out preparation of the project on the lines of instructions issued from this office from time to time, and it is also agreeable to pay to Government 1½ per cent. on account of scrutiny of the project by Government. In the circumstances, no action seems necessary until the local body produces a project to the satisfaction of the Board and Government.

4. Incidentally, I wish to make one observation in dealing with schemes produced by local bodies prepared through their own agencies some of the municipalities are engaging the services of private indidviduals - either retired engineers of P.W.D. or engineers who have set up practice in drawing up their schemes. In none of the cases, to my knowledge are the engineers who prepare the schemes can follow up the schemes prepared by them for execution, evidently because they do not possess the necessary organization. In all cases, the.....

the local bodies have no doubt promised to pay the prescribed charges for scrutiny, but in their eagerness for scrutiny, but intheir eagerness fo secure a quick passage for sanction to the schemes, an undue pressure is imposed upon my office to scrutinise the schemes, so that it appears to me that some working rules should be framed for the guidance of the local bodies:-

My observations in general can be summarised as under:-

1. In most cases the schems prepared by them do not conform to the standard requirements by Government and voluminuous scrutiny notes, become necessary.

2. It is desirable to take up project preparation only after the preliminary report indicating the lines on which the project has to be prepared is issued from this office. The preliminary report so drawn up will indicate the lines of salient features to be put up with the project.

3. The rates adopted for the scheme should be based on the certified copy of the schedule of rates maintained by the local P.W.D. Executive Engineers.

5. Government cannot recognise the private Engineers employed for preparation of projects to be approved agencies forw ork of preparation. The Engineers who prepare the projects will be only municipal representatives and the question will be reviewed as if the projects are prepared by municipal agencies only.

If the gneral principlesare accepted by Government, I shall arrange to draw up a note embodying the rules of procedure for framing projects by municiapal or private agencies. This is necessary especially as the local bodies seek financial aid from Government for execution of the schemes.

D.A. 1 copy of letter

Sd/- Public Health Engineer
to Government of Bombay.

U.O.R. No. 8355 of 1947.
Poona, 6th Novembee 1947.

To

The Secretary to Government,
Public Works Department,
Bombay.

5443/
~~5443/36~~
P. W. D.

M.B.

Submitted w/r to the O.N., dt. the 22-10-47.

2/- From the portion marked 'A' ~~in~~ of the P.H.E.'s endt. dt. the 6-11-47, and the concluding portion ~~in~~ of his letter at p.273 ante, it will be seen that the Satara Muny. has undertaken the preparation of the plans and estimates of the Satara w/s and drainage schemes. After these are completed, the Muny. will sned them to the P.H.E. for scrutiny. Of these scheme are found to be in order by the P.H.E. these will be put up before the Board of Public Health Works for its appl. The receipt of the schemes may be awaited.

3. Please see paras 4 & 5 of the P.H.E's endt. at pp 265-269 ante. It is for consideration whether the general principles framed by the P.H.E. inrespect of the preparation of the projects by the Municipalities through their own agencies may be accepted. If so, the P.H.E. will be asked to submit a note embodying the rules of procedure for framing such projects by the Municipalities or private agencies.

Thro' D.E. (B)

Id/-
17-11-47

The P.H.E. has stated that his circle is studied with requests for preparation of Public Health Schemes. More and more municipalities will now be coming forward to take up such schemes, as Govt. have promised to give a substantial grant-in-aid. Outside agencies, either Municipal or private, will have, therefore, to be employed on the preparation of plans & estimates of such schemes. It is therefore necessary to have a set of rules for framing such projects by these agencies, so as to avoid unnecessary correspondence between such agencies & the P.H.E.

Id/-
18-11-47

The.....

The P.H.E. shd. be asked to draw up a note embodying the rules of procedure for the preparation of projects by municipal or private agencies and submit it for the approval of Govt.

d/-

19-11-47

M.B. P.W.D.

Resubmitted with draft for appl.

Id/-
24-11-47

Id/-
28-11-47

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No.5443/36-M. P. W. D.

Letter. B.C. 29th Novr. 47

To

The P.H.E. to Govt.

Sub:-Preparation of projects by Municipal or private agencies prodedure re: the

Ref:-Your u.o.r. No.8355, dt. the 6/11/47.

2/- You are requested to draw up a note embodying the rules of procedure for the preparation of projects by municipal or private agencies and submit it for the appl. of Govt. as early as possible.

By order etc.

Id/-

27-11-47

Id/-
27-11-47

No.7528/M.
Health and Local Government Department,
Bombay Castle, 19th December, 1947.

From

The Under Secretary to the Government of Bombay,
Health and Local Government Department.

To,

The President, Satara Municipality.
S A T A R A.

Subject:-Satara Water Supply and Drainage.

Sir,

Reference your letter No.469/ dated 27th August, 1947 addressed to Publich Health Engineer a copy of which was sent to Government in the Public Works Department. It is understood that the Publich Health Engineer to Government has requested the Municipality to entrust the work of preparing plans and estimates for the water supply and drainage schemes for Satara to the Publick Works Department agency instead of to a private agency Government considers that all works which are financed from Local funds and assisted by Provincial revenues should not be entrusted to a private agency, and that they should be carried out through the agency of the Public Works Department, if the local authority concerned is unable to carry them out departmentally. Government, therefore, considers that it would be in the interest of the Satara Municipality if the work of preparation of plans and estimates is entrusted to the Publick Health Engineer. It is suggested that the Municipality should reach a decision on this point at a very early date so that the work of preparation of plans and estimates may be put up in hand as early as possible.

Your obedient servant,

Sd/- M. K. Deshpande,
Under Secretary to the Government Department,
Health and Local Government Department.

No.7528/M.
Health and Local Government Department.
Bombay Castle, 19th December, 1947. Copy...

Copy forwarded for information to:-

The Public Works Department,
The Public Health Engineer, to Government,

By order of the Government of Bombay,

Sd/-

For Under Secretary to the Government of Bombay,
Health and Local Government Department.

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Preparation of projects by Municipal or private agencies - Prodedure re: the -

It is presumed the existing rules framed under the Bombay Municipal Boroughs Act, 1925 and the District Municipalities Act of 1901 empower a local body to enter into a contract with a private firm of engineer or engineers for the preparation of detailed plans and estimates of a public health scheme of water supply or drainage. The rules and procedure enumerated below apply to cases where the local body intends to execute the schemes with Government aid.

1. Whenever a local body at its own initiative or that of the revenue authorities desires to undertake a scheme of water supply or sewerage or a comprehensive scheme of surface drainage, it shall first xcuase drawn up a preliminary report to be on the scheme with possible alternatives roughly showing its ecope and approximate cost.

2. Such a report may be drawn up either by (a) the engineer of the local body, or (b) a firm of engineers of established repute engaged by the local body for the purpose or (c) by the Public Health Engineer or his staff not below the bank of the Executive Engineer at the specific request of the local body.

3. When a sketch of the project has been drawn up, the local body shall submit the same to the Public Health Engineer to Government through the revenue authorities together with a separa e not showing how it is proposed to finance the scheme.

4.....

4. When approval of the Public Health Engineer has been obtained to the sketch project, the local authority may arrange for the preparation of detailed plans and estimates of the scheme, and for this purpose may cause the plans and estimates to be prepared by -

(a) an engineer official employed by the local body , or
(b) a private firm of engineers of repute, or
(c) the Public Health Circle of the P.W.D.

5. In the case of projects prepared by the Public Health Circle, the usual procedure in vogue with Govt. for the preparation of detailed plans and estimates shall be gone through, such as submission of requisition through the revenue authorities for the preparation of detailed projects agreeing to pay the prescribed charges for project preparation approval of the Board of Public Health Works, preparation of survey estimate and securing of funds in advance for survey etc.

6. In case where the local body chooses to adopt clause (a) or (b) of Rule 4 above, the following shall be observed.

(i) The local body shall entrust the work of preparation of detailed plans and estimates to a company which is recognised and registered by Government.

(ii) The company which intends to take up such work should get itself registered and the general rules for registration in force should be applicable.

(iii) While granting recognition to any company Government may impose the following conditions:-

(a) the company should have a solid footing.

(b) they should possess qualified and experienced staff specialised in this branch of publich Health engineering science,

(c) the staff employed should be sufficient to give due tome to the project work and it should be engaged for full time.

(d) they should have all necessary instruments and implements required for preparation of project,....

project, viz. mathmetical instruments, tools and plant and of approved make and design.

(e) they should possess suitable building for office accommodation at a convenient place.

(iv) the company should submit the completed public health scheme through the local body and the Public Health Engineer will directly deal with the local body and consider the scheme as prepared by municipal agency.

(v) the project should be done on the lines of the general standard practice as contained in the P.W.D. Handbook, Volumes I and II and as followed in the Public Health Circle.

(vi) The plans and estimates should be prepared in close consultation between the Public Health Engineer to Government and the municipal engineer officer or firm in charge of the preparation, and rough plan should be submitted to the Public Health Engineer to Government to enable that authority to make suggestions if any before any final plans are prepared.

(vii) The collection of the preliminary and fundamental data is very important and it is very desirable that the results noted and data collected are reliable. For this purpose, a close watch of the municipality and the Public Health Engineer is neceesary. The fundamental data may comprise gauging discharges of rivers, taking yield tests in the river, well etc., trial pit, selection of sewage farm site, potability of supply, etc. and the responsible engineer officer should verify the data before it is finally countersigned. This should also be open to inspection of the Public Health Engineer desires to verify. The wilful negligence in collection of this data by the private agency shall be seriously dealt with.

(viii) The detailed plans and estimates shall be submitted in duplic ate. The drawings should be on tracing cloth.

(ix) They should be signed by the Municipality as well as by a responsible person of the company.

(x) The scheme thus prepared shall make provision for all charges to be incurred on -

(1).....

(1) Preliminary drawing up of the scheme,
(2) Preliminary surveys,
(3) Preparation of plans and estimates complete,
(4) charges for scrutiny by the Public Health Engineer to Government,
(5) execution by P.W.D. or local agency,
(6) Inspection charges of T.A. etc. during progress of construction by the Public Health Engineer to Government or his staff.

(xi) Security deposit- In order that the company should not leave the work half way or carry out the work of very inferior type and to have proper control, a deposit of some kind is considered necessary. This is however a point to be decided by the Government and the Municipality.

(xii) In cases of dispute between the contracting firm and the municipality the decision of the Public Health Engineer shall be final.

Sd/-

Public Health Engineer
to Government.

5443/36/9255
P.W.D.

M.B.

Submitted w/r to G.L. No.5443/36-M, dt. the 29-11-47.

2. The P.H.E. to Govt. submits a note embodying the rules of procedure for the preparation of the project which the (Muny or the Local body intends to execute with Govt aid throgh the Municipality Private agency. He states that these rules can be imposed without difficulty to operate schemes contemplated to be execut d with aid from Govt. It is for consideration whther these rules may be approved, of so, these pps. may be showin u.o. to the H.D.L. & G.D. before the rules are communicated to be local bodies.

Thro' D.E. (V.W.S.).

Id/-
25-2-48

3) Govt in H. DL of G.D. has ruled that the preparation of P & E of Public Health Projects shd. not be entrusted to a private agency. See p. 279 ante. & has advised the Muny. to entrust the work to the P.H.E. Further development may be awaited before the note submitted by the P.H.E. is examined.

Id/-
25-2-48

The note submitted by the P.H.E. is a general no.e & does not refer particularly to Satara Water Supply & Drainage Scheme. It may be seen now by the H of H.L.G.D. for remarks in view of that departments letter No.7528/M dated the 19th Dec. 1947).

— Seen

If the schemes of the local bodies are to be prepared by the P.H.E. when they are not able to carry them out departmentally, and though private agencies, the P.H.E. will have to be provided with adequate staff to avoid delays in the preparation of the schemes about which there are complaints from such bodies.

Id/-
26-2-48

It may be always be possible the P.H.E. to prepare schemes for all the local bodies. In case the work is entrusted to total bodies for investigation, the should is laid down the P.H.E. seem to be under U.O. to the H. & L.G.D., dt. the 10-3-1948.

Id/-
6-3-48

Secy(I)

by

The Govt. insists that, as far as possible, the Municipalities should entrust the preparation of the Plans and estimates for this Public Health schemes (Water Supply and drainage scheme) to the Public Health Engineer. The P.H.E. himself states however, that his Deptt. is over-burdened with work, and that he will not be able to undertake the preparation of plans and estimates for all the Municipalities. There have also been complaints from the municipalities about delays by the P.H.E. in the preparation of plans and estimates. It is therefore proposed to allow the Municipalities to entrust the preparation of plans and estimates to private agencies subject to certain rules. The P.H.E. has submitted a set of rules for this purpose. The P.W.D. considers that the rules are in order. The following remarks are offered so far as this Deptt. is concerned.

2. In the firstplace it should be pointed out that there is no provision in the Bombay Municipal Boroughs or the Bombay District Municipal Acts, Under which Govt. can frame any statutory rules binding on the Municipalities. What we can lay down therefore, is only a set of executive instructions which of course all the municipalities will agree to follow.

3. Rule 4 :- The rule refers to the "approval of the P.H.E." The usual practice however is that when a scheme is proposed, it is first placed before the Bd. of Public Health Works. If the Bd. approves the schemes, it authorizes the P.H.E. to undertake the preparation of detailed plans and estimates. In view of this portion Rule 4 may be redrafted as follow:-

4. "The preliminary report draw up by the local body together with its proposal for financing the scheme shall be placed Before the Board of P.H.W. If the Bd. approves of the scheme, the local body may accordingly to the recommendation of the B.P.H.W. arrange for the preparation of the detailed plans and estimates either.

1).....

1) through the P.H.E. or
2) a private firm of repute satisfying the condition laid down in Rule 6 below
3) through an Engineer appointed by the local body itself."

It would be desirable to provide that the Engineer appointed under rule 4(3) should be one approved by Govt.

Rules 6(i) and 6(ii):- It is presumed that by "Registered", the P.H.E. means registered under the Indian Companies Act. It is not clear what the P.H.E. mean by the word "recognised". The P.W. may be requested to advise on points.

Rule 6(iii):- The "Conditions" referred to in the rule are not conditions but merely criteria to be followed by Govt. before granting recognition. Govt. cannot impose these conditions at the time of granting recognition. Rule 6(iii) may therefore, be redrafted as follows:-

"A company to which the work is entrusted under Rule 4(2) should satisfy the following conditions":-

Rule 6(vi):- The words "Municipal engineer officer" do not seem to be appropriate. What the P.H.E. means is a special Engineer appointed by the Muny. if any, under Rule 4(3). The works may be replaced by "the Municipal Engineer or any other Engineer specially appointed by the Muny. for the scheme.

Rule 6 (vii):- The same words "engineer officer" appear in this rule and may be replaced by the expression suggested above. The rule further directs that the "engineer-officer" should verify the preliminary data. It is also necessary to place a similar obligation on an Engineering firm if the preparation of plans and estimates is entrusted to it.

Rule 6(ix): The words "signed by the Municipality" are meaningless. The plans and estimates should be signed either by the President or the Municipal Engineers or both.

Rule.....

Rule 6(x) (6):-This may be replaced by "Inspection charges of the P.H.E. and his staff".

Rule 6(xi):- It is essential to prescribe the exact amount of deposit to be kept by the Company.

Rule (xii):- It is not clear what kind of "disputes" the P.H.E. has in mind. If he means differances of opinion on some technical point, we may agreed to the proposed rule. But if the means disputes involving the materials interest of either party such as for instance disputes in respect of payments etc., obviously ~~so~~ no private company will agree to submit to the arbitary ruling of a Govt. officer. If the stakes involved are substantial it may even go to a Court of law to establish its claim. The P.W.D. may be requested to clarify what exactly is the intention underlying Rule 6 (xii).

The P.W.D. may be requested to clarify the points raised above and then transfer these papers to this Deptt. which will issue the necessary orders.

Id/-
13-8-48
14

(through 'A' Branch)

Id/-
18-8-48
20

P.W.D. pl. see and proposed.

Id/-
20-8-48

u.o.r. to P.W.D. dt. 23-8-48.-

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M.B.

5443/36
46365

P.W.D.

Submitted w/r to the notes and pp.291-292 ante,

2. If approved, the P.H.E. may, in the first instance, be requested u.o. to elucidate the various points raised by the H.Q.L.G.D. in its note at pp. 293-296 ante.

Id/-
31-8-48

Thro'D.E.(V.W.S.)

Id/-
31-8-48

Id/-
31-8-48

.....

U.O.R. to the P.H.E., dt. the 1-9-1948

Below U.O.R. No.543/36/46365 dated 1st September 1948 from the P.W.D. of the Secretariat.

Returned with compliments.

2. Even though we may not be able to make these rules as statutory and thus binding on all local bodies, yet we can make them as specific conditions for schemes requiring Government Grant-in-aid.

3. If there be still any objection to dub these conditions precedent to sanction of grant-in-aid, we can declare them as executive instructions as proposed in the Secretariat note.

4. Sketch project referred to in this para 4 is a brief "Preliminary Note" accompanied by a plan of general arrangemnt of works which is the basis for the detailed project. It is most important that saliant points of this note explaining the principal features of the project should be approved by this department so that it may fall in line with the standard adopted for schemes prepared or approved by this office without this it would be waste of energy and money if a schmme is taken up directly by the local body without approval of the fundamentals. If the "preliminary report" is directly submitted to the Board of Public Health Works by the local body, the Board of Public Health Works will have no time to go into detail of the scheme as such it is necessary that the Preliminary report drawn by the local body together with its proposals for financing the scheme shall be placed before the Board of Public Health Works through the Public Health Engineer who should scrutinize the same, and get modified or changed if in his opinion, it is considered necessary before placing it before the Board of Public Health Works. If the Board approves of the "Preliminary Note", the local body may arrange for preparation of detailed plans and estimates, either through (1) Public Health Engineer (2) ex

(2) A private firm of repute satisfying conditions in rule 6 below (3) through a qualified engineer appointed by the local body itself. I agree that the engineer to be appointed under (3) should be approved by Government.

Rule 6(1) and (ii) :- The word "Registerd" menas recognised by the Government and who are on the approved list of the Public Health Engineer to Government.

Rule 6(iii):- Redrafting as suggested in the note is in order and accepted.

Rule 6(vi):- Suggestion made in the note is in order;

Rule 6(vii):- Suggestions made are desirable. Similar obligation should be on firm or co., as well. For this purpose the the words "th Chief Representative of the firm if the work is carried out through private Co." should be added after municipal engineer.

Rule 6(ix):- It should be by the president of the Municipality.

Rule 6(x)(6):- The change suggested is in order.

Rule 6(xi):- The company generally gets about 1% of the estimated cost of the scheme for their remuneration. If we ask them 1/5th of this 1% as security depost it should serve the purpose i.e. a deposit of 1/5% of the estimated cost of the scheme or a maximum of Rs.5,000/- should be taken

Rule (xii):- This is intended for "Technical" point only. Disputes contemplated are those arising out of non-compliance of technical requirements of the schmme.

D.A.

Public Health Engineer
to Government.

U.O.R. No.8641 of 1948.
Poona 28thm September 1948.

To

The Secretary to Government,
Public Works Department,
B O M B A Y.

5443/36/53915
P. W. D.

M.E.

Submitted with reference to this Deptt. u.o.r. dated the 1-9-1948 at page 297 ante. The various points raised by the H. & L.G.D. in its note at pp. 295-296 ante have been elucidated by the P.H.E. The papers may be shown u.o. to the H. & L.G.D. for further comments if any before the rules are communicated to local bodies.

Through D.E. (V.W.D.)

Id/-
6-10-48.

Id/-
7-10-48

Id/-
13-10-48

U.o.r. to the H. & L.G.D., dt. the 15-10-1948.

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H. & L. G.D.

Submitted with ref. to the office note, dt. 20-8-48, and the U.S.'s note thereon.

2. The P.H.E. has answered the various points raised inthis Deptt. note. As suggested by the P.H.E., Govt. ay make the proposed execution for payment of any grant in aid to the local bodies.

3. He has clarified the points raised at 'A' &'B' in p. 294 ante and has agreed to the changes suggested in draft rules nos. 6(iii), 6(vi), 6(vii), 6(ix), 6(x)(6).

He has also suggested in fixed percentage of deposits with ref. to rule 6(xi).

As regards the use of the term disputes is in Rule (xii) he has stated that the term is used to mean disputes on technical points as presumed by this Deptt.

4. The draft rules on pp. 281-287 will have to be amended accordingly. It appears from the P.W.D. with overleaf that it proposes to issue the orders to the local bodies from that Deptt. after finalising the draft

draft rules. So far as this Deptt. is concerned, the rules as now proposed to be amended and in the light of the P.H.E.'s elucidation and clarification, seem to be in order.

It is presumed that the P.W.D. will submit these papers to H.M. (L.S.G) in that Deptt. before the issue of order.

P.W.D. will submit these propose to H.M. L.S.G. also before the issuing order.. Id/- 2-3-49 in addition to H.M.B.W.D.

Id/- 14-3-49

u.o.r. to P.W.D. dated 17-3-49.

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5443/36/19649
P.W.D.

MBB.

Submitted with reference to Govt.. U.O.R. dated the 6th October 1948 at page 305. The H. &L.G.D has gone through thevarios points and has stated that the rules as proposed to be amended appear to be in order. These papers may now be shown U.O. to the P.H.E. and he may be requested to submit modified draft rules to Govt.. in view of the H.. & L.G.D's remarks on pages 306 & 307

Through D.E. (P.H.E)

Id/- 6-4-49

Id/- 6-4-49

Id/- 7-4-49

U.O.No. to the P.H.E. to Govt. dated 11th April 49.

Preparation of Public Health Projects by Municipal or private agencies -Executive Instructions to be observed by Local Bodies.

....

The rules and procedure enumerated below, which are executive instructions apply to cases where the local body intends to execute the schemes with financial aid from Government.

1. Whenever a local body at its own initiative, or at the desire of Government Public Health Authorities, desires to undertake a scheme of Water Supply or sewerage or surface drainage, it shall first cause a preliminary report to be drawn up on the Scheme with possible alternatives, if any, showing its scope and approximate cost.

2. Such a report may be drawn up either by (a) the Engineer of the Local Body or (b) a firm of Engineers of established repute engaged by the Local Body for the purpose, or (c) by the Public Health Engineer to Govermmnt or his staff not below the rank of an Executive Engineer, at the specific request of the Local Body.

3. When the preliminary report accompanied by a plan of the general arrangement of works has been so drawn up, the local body shall after signifying its approval submit the same to the Public Health Engineer to Government through the revenue authorities, together with a separate note showing how it is proposed to finance the scheme. The Public Health Engineer to Government shall, on examination of the report and the salient features of the scheme, arrange to place the same before the Board of Health for its approval and authorising preparation of plans and estimates.

4. When approval of the Board of Health to the report and general feature of the scheme has been secured, the Local Body may arrange for the preparation of detailed plans and estimates of the scheme, and

for.....

for this purpose may get the plans and estimates prepared by any one of the following:-

(a) The Public Health Circle of the Bombay P.W.D.

(b) A private engineering firm of repute which has satisfied the conditions laid down in Rule 6 below.

(c) An engineer appointed by the Local Body with the approval of Government.

5. In the case of projects prepared by the Public Health Circle, the usual procedure in vogue with Government for the preparation of detailed plans and estimates shall be followed such as -

(a) Securing the local Body's prior approval for payment of the prescribed charges for preparation backed up by a resolution of its general board;

(b) drawing up an estimate for cost of survey and preliminary investigation in connection with preparation of project;

(c) Securing of funds in advance from the Local Body to meet the cost of survey

etc. etc.

6. In cases ~~where~~ where the Local Body desires to get the plans estimates prepared either by (a) a private engineering firm or (b) an Engineer specially engaged by the Local Body, it shall be necessary for the Local Body to fulfil the following conditions:-

(i) The work of preparation of detailed project shall be entrusted only to anyone of the firms on the approved list of firms maintained by Government or to an Engineer specially appointed by the Local Body with the approval of Government.

The company which intends to take up such work of preparation shall, before getting its name enlisted with Government in the approved list, fulfil the following conditions -

(a) It shall have a solid financial footing.

(b) It shall posses a qualified and experienced staff specialised in Public Health Engineering. (c).....

(c) The staff employed on the work shall be full time and adequate for the job.

(d) It shall possess all necessary scientific and mathmetical instruments of approved make and design and the implements required for preparation of project.

(ii) The project shall be prepared as per general standard practice stated in the P.W.D. Hand Book, Vols. I and II and as followed in the Public Health Circle.

(iii) The plans and estimates shall be prepared in close consultation with the Office of the Public Health Engineer to Government and the Municipal Engineer or any other Engineer specially appointed by the Municipality for thex Scheme. Rough plans at each stage of the preparation shall be submitted to the Public Health Engineer to Government to enable him to make any suggestions before final plans are prepared.

(iv) The collection of preliminary and fundamental data is very important and consequently it is necessary that the results noted and data collected are reliable. For this purpose, a close watch of the Municipal Engineer or the Engineer specially appointed by the Municipality for the scheme is necessary. The funadeament al data referred to may comprise -

(a) gauging discharges of rivers,
(b) taking yield tests in the river bed, well.
(c) trial pit and/or borings, at important places such as head works, engine house, reservoir etc.
(d) selection of sewage farm site,
(e) potability of supply etc.

and for the purpose the Municipal Engineer or the Engineer specially appointed by the Municipality for the scheme of the Engineer. reepresentative of the firm -- in case the work is carried out by a firm -- in case the work is carried out by a firm shall verify, the data before the project is finally countersigned. This shall also be open for examination by the Public Health Engineer or his staff if he so desires. All the survey work carried out by the private body (i.e. field books,

level.....

level books etc.) shall be signed by the Municipal Engineer or the Engineer representative of the firm and submitted along with the detailed project to the Public Health Engineer to Government for his scrutiny.

(v) The detailed plans and estimates shall be submitted in duplicate of which all drawings of one set shall be on tracing cloth.

(vi) The plans and estimates shall be signed by the President of the Municipality and the responsible engineer before they are countersigned by the Public Health Engineer to Government.

(vii) The project thus prepared shall make provision for all charges to be incurred on --

(1) Preliminary drawing up of the scheme.

(2) Preliminary surveys.

(3) Charges for preparation of plans and estimates.

(4) Charges for scrutiny by the Public Health Engineer to Government.

(5) Charges for execution by Govennment P.W.D. or Local agency.

(6) Inspection charges of the Public Health Engineer and his staff.

(viii). In order that the company entrusted with the work of preparation shall not leave the work half way or carry out work of inferior type, it shall be necessary for the company to deposit with the Municipality an amount equivalent to one-fifth of the charges paid to them for preparation as security deposit and the same shall be forfeited if the work is found unsatisfactory or if it is revealed at the time of actual execution that the data collected was incorrect and misleading.

(ix) In cases of difference of opinion on technical matters arising from the contract between the firm and the local body, the decision of the Public Health Engineer to Government shall be final.

Sd/-
Public Health Engineer
to Government.

5443/36/32634

M. R. R. W. D.

The P.H.E. to Govt. has now sent revised draft notes for pre atation of P.H.Projects by Municiapl or private agencies, after carrying out t.e sugrestions made in the H. & L.G.D. notes at pp. 293-96 & 306-307 ante. On scrutiny, the rules as revised appear to be in order and may be communicated to the local bodies if they meet the approval of the H. & L.G.D.

2. With regard to the presumption in the concluding para of the H.& L.G.D. note at pp. 306-7 ante, it may be stated that the H. & L.G.D. is primarily concerned with local bodies and, therefore, it would be move convenient if that Dept. communucates the proposed rules to the local bodies. In that case, the pp. may be submitted to the H.M., L.S.G. in that Deptt. If, however, it is desired that this Deptt. shd ~~x~~ apprise the local bodies of the proposal rules, the H.&L.G.D. may kindly furnish to this Deptt. a list of the local bodies to whom copies of the rules are to be sent.

Thro, D.E.(P.M.)

Id/-
17-6-49

As the proposed orders will apply to all the local bodies - the Municipalites and the Village Panchayats, the same may be communicated through the Collectors of the Districts:

Id/-
18-6-49

Id/-
20-6-49

Secy(I) As the Board of Public Health Works is to close down, it would be unable to make the relevant change now only in the ~~work~~ honour of the Board.

Id/-
20-6-49

U.o.r. to the H. & L.G.D. dt. the 22nd June 1949.

Health and Local Govt. Deptt.

Submitted with reference to the office note, dated the 17-3-49 and the under secy.'s note thereunder.

3. The P.W.D. considers that as this Deptt. is concerned with local bodies, the orders should approprimately issue from this Deptt. Although this Deptt. is concerned with local bodies and the Water supply and drainage schemes of these bodies, this Deptt. deals with the administrative and financial aspects of the schemes and technical matters are worked after byk the P.W.D. In the circles., the P.W.D. would be more appropriate Dept . to issue the orders..

3. This Deptt. has no particular remarks to offer an the rules except that the words" the Board of Health" should be substituted in the words in the Board of Public Health Works" whenever they occur.

4. If the view taken in para 2 above is approved, the papers may be returned u.o to the P.W.D. with a list of minutes (slip A) and a copy of the Repott for 1944-45 on the administration of Local Boards in the Province which mentions all the Panchayats in the Province. . . .

Id/-
16-7-49

As proposed
Id/-
18-7-49

A.B. should be
Id/-
19-7-

Id/-
19-7-49

U.o.r. to P.W.D. (with accompt)

Id/-
20-7-49

Id/-
22-7-

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5443/36/47937
P. W. Deptt.

M.B.

These papers relate to the rules and procedure to be followed by the Local bodies in connection with the preparation of the Public health projects which are proposed to be executed by them with Govt. aid through Municipal.....

Municiapl or private agencies. The revised draft rules submitted by the P.H.E. to Govt. will be found at pp. 311-315 ante. As the H.& L.G.D. is primarily concerned with the local bodies that Deptt. was requested to communicate the rules in question to the local bodies. The H.& L.G.D. states that although that Deptt. is concerned with the local bodies and with the water supply and drainage schemes of these bodies it deals with the administrative and financial aspects of the schemes and technical matters are looked after by the P.W.D. The H. & L.G.D. is, therefore, of opinion that the P.W.D. would be more appropriate Deptt. to opinion that the P.W.D. would be more appropriate Deptt. to issue the orders. The point need not, however, be laboured further and their orders in the matter may issue from this Deptt. The rules have been approved by the H.&L.G.D. and may be communicated to the local bodies vide the draft put up for approval. Th words "the Board of Health" have been substituted for the words "the Board of Public Health Works" occuring in the rules as the Board of P.H.Works has now been replaced by the Board of Health.

2. It may be pointed out that the H. & L.G.D. has stated that there is not provision in the Bomba Municipal Boroughs or the Bombay Dist. Municipal Acts under which Govt. can frame any statutory rules binding on the Municipalities. That Deptt. has accordingly suggested that Govt. may declare the rules as executive instructions as pre-condition for payment of any grant-in-aid to the local bodies. In view thereof, the local bodies may be if approved be informed that acceptance of these rules is a condition precedent to thesanction of the grant-in-aid by Govt. The para. 2 is accordingly added to the draft.

3. The papers may be submitted to the H.M. (P.W.D.)

and.....

and the H.M.(L.S.G) before issue of the draft.

Thro. D.E. (P.H.).

Id/-
12-8-49

Id/-
12-8-49

Id/-
16-8-49

Id/-
17-8-49 Secy (I)

Id/-
19-8-49 HM P.W.D.

Id/-
23-8-49 H.M. L.S.G.

Id/-
25-8-49 H.M. Health.

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5443/36/47937

No.5443/36-M. P. W. Deptt., 49
B.C., 30th Sept. 1949.

To

All Collectors,

Subject:-Preparation of Public Health Projects by Municipal or private agencies:Rules and procedure regarding the -.

I am directed, to forward herewith for transmission within your jurisdiction copies Municipalities, Local Boards and Village Panchayats of the rules and procedure to be followed by the Local bodies in connection with the preparation of Public Health Projects proposed to be executed by them with Government aid through Municipal or private agencies.

2. Acceptance of these Rules by the local bodies is a condition precedent to the sanction of the grant-in-aid to the local bodies by Government.

By order etc.

D.A.-Copy of Rules and procedure.

Copy, with copies of the rules and procedure, forwarded, to -
the H. & L.G.D.,
the Commrs. of Dns.,
the P.H.E. to Govt.,
for information.

Id/-
16-8-49

Id/-
12-8-49

Id/-
17-8-49

.....

N.Nanasekar
6/8/50.